

Amendment No. 1 to SB0447

Bell
Signature of Sponsor

AMEND Senate Bill No. 447*

House Bill No. 1231

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 37-1-116(j), is amended by adding the following new subdivision:

(5) Upon a security breach at a secure detention or correctional facility designated, operated, or approved by the court for confinement of juveniles; a youth development center; or other hardware secure facility that contracts with the department, the on-site facility supervisor-in-charge shall immediately report the security breach to the department of children's services and the chief law enforcement officer of the county in which the facility is located. The report must include the facts of the security breach, the time when the breach occurred, and the circumstances under which the breach occurred, together with the particular description of any person involved in the breach, including the person's age, size, complexion, race, and color of hair and eyes. As used in this subdivision (j)(5), "security breach" means entry into a secure detention or correctional facility, youth development center, or other hardware secure facility that contracts with the department by an adult or child who is not authorized to do so. An on-site facility supervisor-in-charge who intentionally fails to comply with the reporting requirement of this subdivision (j)(5) may be charged with the offense of permitting or facilitating escape under § 39-16-607.

SECTION 2. Tennessee Code Annotated, Section 37-1-116(j)(4), is amended by deleting the subdivision and substituting:

(4) Upon an escape by a juvenile who is alleged or adjudicated to be delinquent by virtue of an act which is a felony if committed by an adult and who is confined to a secure detention or correctional facility designated, operated, or approved by the court, a youth development center, or other hardware secure facility that contracts with the department, the onsite facility supervisor-in-charge shall immediately report the escape to the department of children's services and chief law enforcement officer of the county in which the facility is located. The report must include the facts of the escape, the time when the escape occurred and the circumstances under which the escape occurred, together with the particular description of the escapee, the escapee's age, size, complexion, race, color of hair and eyes, and from what county the escapee was committed, for what offense, and when the offense occurred. An on-site facility supervisor-in-charge who intentionally fails to comply with the reporting requirement of this subdivision (j)(4) may be charged with the offense of permitting or facilitating escape under § 39-16-607.

SECTION 3. Tennessee Code Annotated, Section 37-5-105(4), is amended by adding the following new subdivision:

(C) The annual report must contain information about any escape, attempted escape, security breach, as defined in § 37-1-116(j)(5), or attempted security breach that has occurred in the previous calendar year at a secure detention or correctional facility designated, operated, or approved by a juvenile court for confinement of juveniles. The information must include the facts of the escape, security breach, or attempt, the time when the escape, breach, or attempt occurred, and the circumstances under which the escape, breach, or attempt occurred.

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it.